

CALENDAR ITEM

C50

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02/20/15

S 3

W 26804

V. Caldwell

**GENERAL LEASE – RECREATIONAL AND
PROTECTIVE STRUCTURE USE**

APPLICANT:

Warren E. Gomes, Trustee of the Warren and Monett Gomes Family Trust Dated
April 12, 2007

AREA, LAND TYPE, AND LOCATION:

Sovereign land located on the Sacramento River, adjacent to 165 Edgewater
Drive, near Rio Vista, Solano County.

AUTHORIZED USE:

Use and maintenance of an existing deck, uncovered single-berth floating boat
dock, five steel pilings, gangway, two jet-ski floats, bulkhead, and bank protection
not previously authorized by the Commission.

LEASE TERM:

10 years, beginning February 20, 2015

CONSIDERATION:

**Deck, Uncovered Single-Berth Floating Boat Dock, Five Steel Pilings,
Gangway, and Two Jet-Ski Floats:** \$361 per year, with an annual Consumer
Price Index adjustment.

Bulkhead and Bank Protection: The public use and benefit, with the State
reserving the right at any time to set a monetary rent if the Commission finds
such to be in the State's best interests.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.

CALENDAR ITEM NO. **C50** (CONT'D)

2. The existing dock facilities at this location were constructed by a previous owner. The dock facilities have been in the Sacramento River for many years, but have not been previously authorized by the Commission. Staff recommends authorization of these facilities. On November 4, 2010, Elena Monett Gomes passed away. The Applicant is now applying for a General Lease – Recreational and Protective Structure Use.
3. The bulkhead and bank protection will mutually benefit both the public and the Applicant. The bank of the Sacramento River will have additional protection for the river channel from wave action provided at no cost to the public.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

CALENDAR ITEM NO. **C50** (CONT'D)

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational and Protective Structure Use to Warren E. Gomes, Trustee of the Warren and Monett Gomes Family Trust Dated April 12, 2007, beginning February 20, 2015, for a term of 10 years, for the use and maintenance of an existing deck, uncovered single-berth floating boat dock, five steel pilings, gangway, two jet-ski floats, bulkhead, and bank protection not previously authorized by the Commission, as described on Exhibit A and shown on Exhibit B (for reference purposes only), attached and by this reference made a part hereof: consideration for the existing deck, uncovered single-berth floating boat dock, five steel pilings, gangway, and two jet-ski floats; \$361 per year with an annual Consumer Price Index adjustment; consideration for the bulkhead and bank protection: the public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

W 26804

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Sacramento River, lying adjacent to Rancho Los Ulpinos, of the County of Solano, State of California, and more particularly described as follows:

PARCEL 1 – DOCK

All those lands underlying an existing single-berth floating boat dock with deck, five pilings, gangway and two jet-ski floats lying adjacent to Parcel One as described in Exhibit "A" of that Trust Transfer Deed recorded December 24, 2007 in Document Number 200700129752 of Official Records of said County.

TOGETHER WITH any applicable impact area(s).

ALSO TOGETHER WITH that land lying immediately beneath any bank protection structure lying adjacent to said parcel.

EXCEPTING THEREFROM any portion(s) lying landward of the Ordinary High Water Mark of the Sacramento River.

Accompanying plat is hereby made a part of this description.

END OF DESCRIPTION

Prepared December 22, 2014 by the California State Lands Commission Boundary Unit.



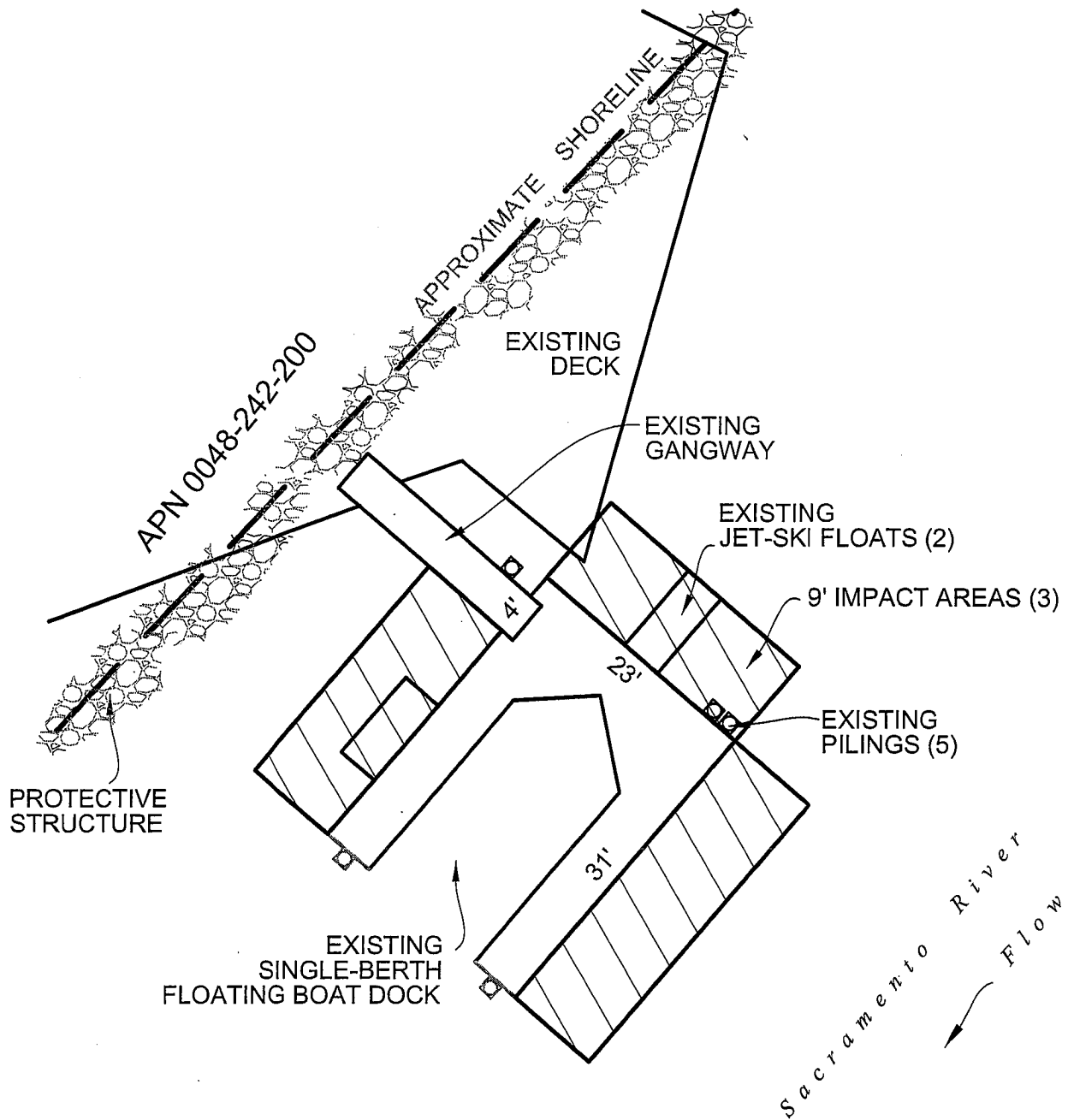


EXHIBIT A

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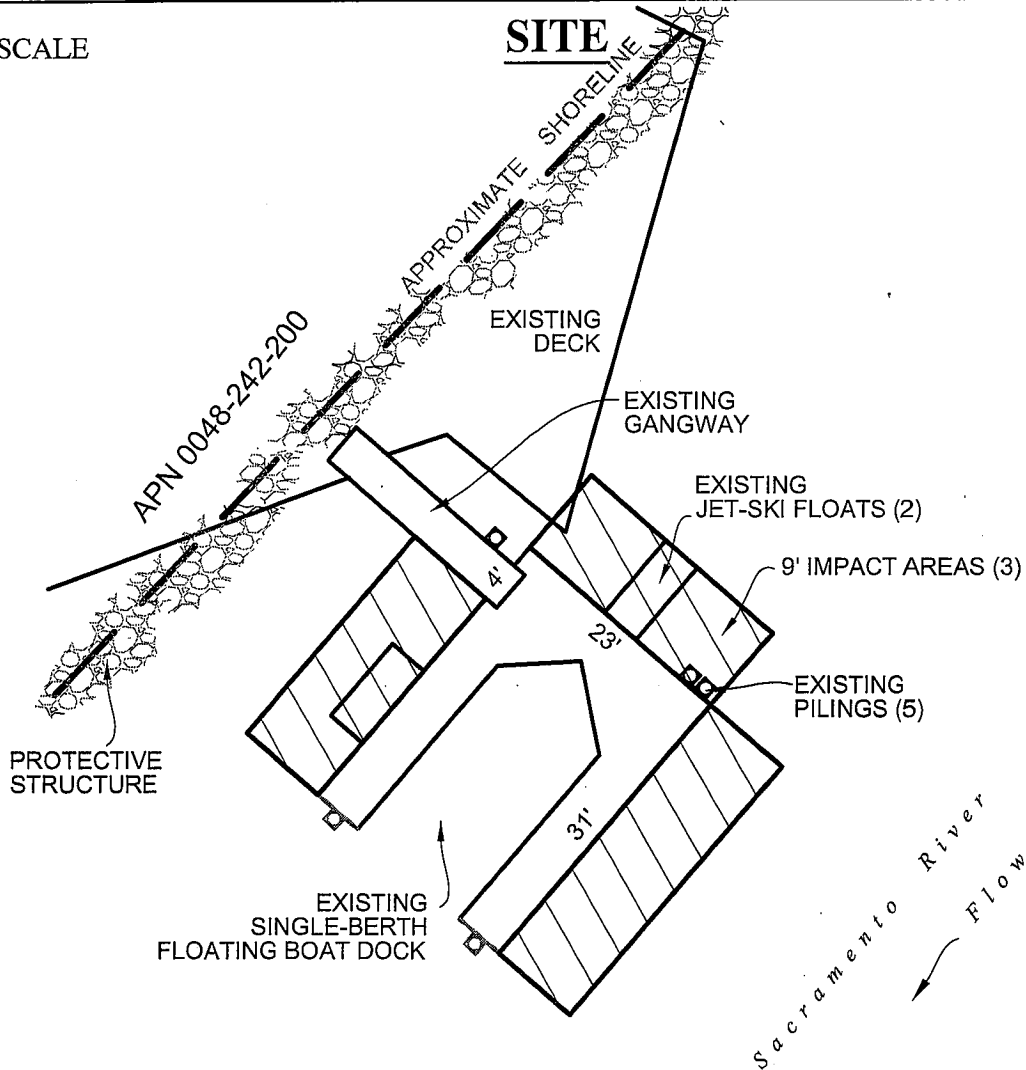
MJJ 12/22/14

LAND DESCRIPTION PLAT
W 26804, GOMES TRUST
SOLANO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



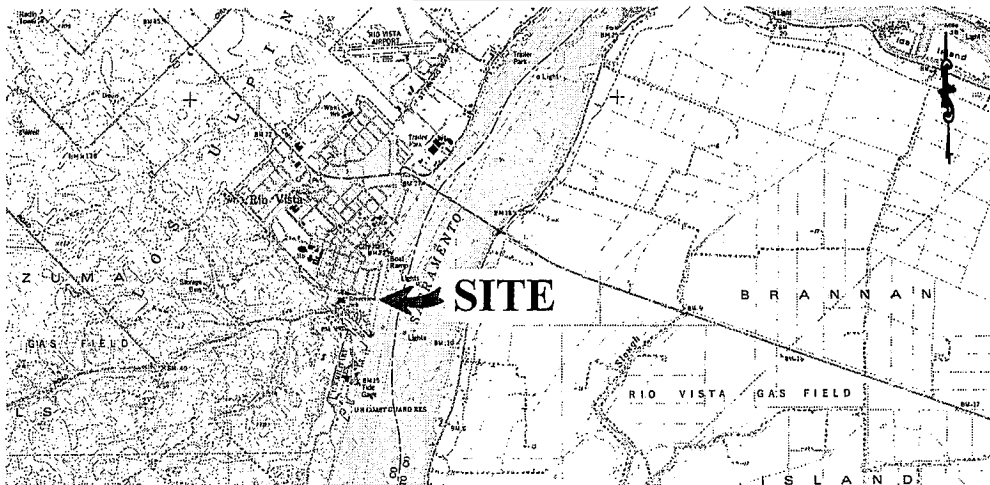
NO SCALE



165 EDGEWATER DRIVE, NEAR RIO VISTA

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

W 26804
GOMES TRUST
APN 0049-242-200
GENERAL LEASE -
RECREATIONAL &
PROTECTIVE STRUCTURE USE
SOLANO COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

MJJ 12/19/14